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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/565,301

04/19/2006

Toshikazu Nakamura

2006_0047A

7075

513 7590 01/04/2008

WENDEROTH, LIND & PONACK, L.L.P.

2033 K STREET N. W.

SUITE 800

WASHINGTON, DC 20006-1021

EXAMINER

LAU, JONATHAN S

ART UNIT

PAPER NUMBER

4173

MAIL DATE

DELIVERY MODE

01/04/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
| 10565301 | 4/19/2006 | NAKAMURA ET AL. | 2006_0047A |

WENDEROTH, LIND & PONACK, L.L.P.
2033 K STREET N. W.
SUITE 800
WASHINGTON, DC 20006-1021

EXAMINER

Jonathan S. Lau

| ART UNIT | PAPER |
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| 4173 | 20071226 |
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DATE MAILED:

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Commissioner for Patents

The reply filed on 19 Nov 2007 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

In Applicant's Response to the Restriction Requirement filed 19 Nov 2007, Applicant was not fully responsive to the Election of Species requirement. While Applicants elected species for Groups R1, R2, R3, R4, and n or m as required, Applicant did not elect the formula of the compound to which these groups are attached, therefore the election corresponds to 8 different species of compounds, corresponding to compounds of formula (I)-(VIII), disclosed for example in claim 18. Because Applicant has not elected a single species of compound with a specific chemical structure as a starting point to begin the examination process, Applicant is not fully responsive to the Election of Species requirement.

An example of a specific compound was provided in the Restriction Requirement mailed 19 Sep 2007, "For example, one specific compound would be the compound of formula (I) wherein R1 is a sulfate group, R2 is a hydrogen, R3 is a substituted carboxyl group, and R4 is a hydrogen, and n is 4."

Applicant is further cautioned that the Election of Species may introduce new matter. Applicant's attention is drawn to the limitation in claims 7 and 18 requiring that "R3 and R4 are different from each other".

See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JONATHAN S. LAU whose telephone number is (571) 270-3531. The examiner can normally be reached on Monday - Thursday, 9 am - 4 pm EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ardin Marschel can be reached on (571) 272-0718 or Cecilia Tsang can be reached on (571) 272-0562. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ardin H Marschel/
Supervisory Patent Examiner, Art Unit 1614

PTO-90C (Rev.04-03)